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contd. wherein the transceiver module activates an alarm when the first transmitter is separated from the transceiver module by more than a preset distance.

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33. An object monitoring system, including:
a first transmitter for transmitting a first ID;
a transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory; and
a controller, the transceiver module wirelessly transmitting messages to the controller, the messages including an indication of receipt of the first ID.

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36. An object monitoring system, including:
a first transmitter for transmitting a first ID;
a transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory; and
an actuator connected to the transceiver module, the actuator being actuated upon an indication by the transceiver module of an alarm condition.

REMARKS:

The specification has been amended to reflect the division of original, informal Figure 5 into two formal drawings (Figures 5A and 5B).

The Applicant wishes to point out that the Examiner has not indicated consideration of the references listed in the Information Disclosure Statement submitted November 21, 2001.

Claims 21-43 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,104,295 to Gaisser et al. ("Gaisser"). The Examiner summarily asserts that all of the claimed subject matter is disclosed by Gaisser, without identifying structure and functions in Gaisser corresponding to claimed subject matter. As further explained below, the Applicant respectfully submits that Gaisser fails to disclose many of the features recited in the rejected claims.

Independent claim 21 has been amended to specify that the transceiver module is "portable," and that "the first transmitter remains associated with the transceiver module as the transceiver module is moved from a first position to a second position." Assuming the Examiner considers receivers 20, 26 of Gaisser to constitute "transceiver modules," clearly nothing in Gaisser describes receivers 20,

26 as being "portable" or as being "moved from a first position to a second position." Thus, claim 21 is allowable over Gaisser.

Claim 22 has been re-written (not amended) in independent form to expressly include the subject matter of previously submitted claim 21 instead of including that subject matter indirectly through dependency. This reformatting is merely a cosmetic change to original claim 22, and does not narrow its original scope. Applicant submits that claim 22 is allowable because Gaisser fails to disclose a "transceiver module [that] indicates an alarm condition by comparing the first ID to the first stored ID." Band tag 10 of Gaisser transmits an ID signal to a receiver 20, 26 which in turn communicates the transmitter ID information to microprocessor-based collector 30 and host computer 36. The only alarm mentioned in Gaisser is an alarm that may be activated if band tag 10 is broken. No disclosure exists of indicating an alarm condition by comparing an ID to a stored ID. Accordingly, claim 22 is allowable over Gaisser. Claims 23 and 24, which depend from claim 22, are also allowable for the reasons discussed above.

Claim 25 has been re-written (not amended) in independent form to expressly include the subject matter of previously submitted claim 21 instead of including that subject matter indirectly through dependency. This reformatting is merely a cosmetic change to original claim 25, and does not narrow its original scope. Applicant submits that claim 25 is allowable because Gaisser contains no disclosure whatsoever of "indicating an alarm condition by comparing [an] energy level [associated with a transmitter ID] to a threshold value." Nothing in Gaisser discloses "an energy level" associated with an ID, comparing the energy level to "a threshold value," or "indicating an alarm" by performing such a comparison. Thus, claim 25 is allowable over Gaisser.

Moreover, claims 26 and 27, which depend from claim 25, further recite "a comparator" and "a processor," respectively, for performing functions relating to the energy level recited in claim 25. Again, Applicant cannot find, and the Examiner has not cited, anything in Gaisser that even remotely references this subject matter. For this additional reason, claims 26 and 27 are allowable over Gaisser.

Claim 28 has been amended to expressly include the subject matter of previously submitted claim 21, and to specify that the second transmitter is electronically associated with the first transmitter. Gaisser includes no disclosure of

associating two band tags 10 with one another, electronically or otherwise. Thus, claim 28 (as amended) is allowable over Gaisser.

Claim 29, which depends from claim 28, specifies that "the second transmitter includes a receiver and an alarm" which may be activated upon receipt of an alarm signal from the transceiver module. The band tags 10 of Gaisser simply do not include either a receiver or an alarm. Moreover, nothing in the Gassier system transmits an alarm signal (or any other kind of signal) to a band tag 10. Applicant respectfully asserts that this rejection should be withdrawn.

Similarly, nothing in Gaisser can conceivably be considered to disclose an alarm that is activated when two band tags 10 are "separated by more than a preset distance" as recited in claim 30, or "separated from the transceiver module by more than a preset distance" as recited in claim 32. Accordingly, claims 30 and 32, which depend from an allowable base claim, are allowable for this additional reason.

Claim 31 has been re-written (not amended) in independent form to expressly include the subject matter of previously submitted claim 21 instead of including that subject matter indirectly through dependency. This reformatting is merely a cosmetic change to original claim 31, and does not narrow its original scope. Applicant submits that claim 31 is allowable because Gaisser does not disclose an alarm that is activated "when the first transmitter is separated from the transceiver module by more than a preset distance." Again, Gaisser only mentions an alarm that occurs when a band tag 10 is removed or broken. It does not disclose an alarm that is activated based on the position of a band tag 10 relative to a "transceiver module." Thus, claim 31 is allowable over Gaisser.

Claim 33 has been re-written (not amended) in independent form to expressly include the subject matter of previously submitted claim 21 instead of including that subject matter indirectly through dependency. This reformatting is merely a cosmetic change to original claim 33, and does not narrow its original scope. Applicant submits that claim 33 is allowable because Gaisser does not disclose wireless transmission of any signal except from band tags 10 to receivers 20, 26. Dependent claims 34 and 35 add still further limitations to this base claim. Thus, claims 33-35 are allowable over Gaisser.

Claim 36 has been re-written (not amended) in independent form to expressly include the subject matter of previously submitted claim 21 instead of including that subject matter indirectly through dependency. This reformatting is merely a cosmetic

change to original claim 36, and does not narrow its original scope. Applicant submits that claim 36 is allowable because Gaisser does not disclose an actuator that is "actuated upon an indication by the transceiver module of an alarm condition." In fact, no actuator of any kind is disclosed in Gaisser. Thus, claim 36 is allowable over Gaisser.

Independent claim 37 recites, among other things, "comparing the first ID signal to the first ID to determine whether a preset condition is satisfied; and signaling an alarm when the preset condition is not satisfied." As indicated above, Gaisser does not disclose comparing an ID signal to a stored ID. Moreover, Gaisser does not disclose signaling an alarm when a preset condition is not satisfied. Accordingly, claim 37 is allowable over Gaisser. Thus, dependent claims 38-42 are also allowable.

Additionally, several of the limitations discussed above are also recited in dependent claims 38-42. Thus, for the additional reasons described above, these dependent claims should be allowed.

Finally, independent claim 43 has been amended to recite that each transceiver module includes a receiver that receives IDs from transmitters to associate those transmitters with the transceiver module "and to associate the transmitters from which IDs are received with one another." For the reasons set forth above with regard to claim 28, claim 43 is allowable over Gaisser.

If necessary, Applicants request that this Response be considered a request for an extension of time for a time appropriate for the response to be timely filed. Applicants request that any required fees needed beyond those submitted with this Response be charged to the account of Bose McKinney & Evans, Deposit Account Number 02-3223.

Respectfully submitted,



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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: 8266-0722

Applicant: Chaco

Invention: INFANT MONITORING SYSTEM
AND METHOD

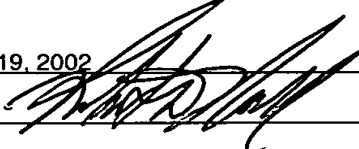
Serial No.: 09/960,429

Filed: September 21, 2001

Certificate Under 37 C.F.R. 1.8(a)

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

On December 19, 2002


Robert D. Null

Dated: December 19, 2002

ATTACHMENT A

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed on October 3, 2002 ("Office Action") and pursuant to 37 C.F.R. 1.111, Applicants respectfully submit this ATTACHMENT A contemporaneously with a separate Response to Office Action ("Response") in connection with the above-identified patent application.

A marked-up version of the paragraph(s) of the specification and a marked-up version of the claims amended by the Response (additions underlined; deletions in brackets) is shown below. Any new claims are shown in the Response (not in this ATTACHMENT A).

IN THE SPECIFICATION:

Please amend the paragraph beginning on line 5 of page 7 as follows:

"[Fig. 5 is a] Figs. 5A and 5B are [flowchart] flowcharts illustrating an embodiment of a method of personnel monitoring according to the present invention."

Please amend the paragraph beginning on line 13 of page 27 as follows:

"A detailed description of a preferred embodiment of the monitoring and locating system of the present invention will now be given in the context of the [flowchart] flowcharts of [Figure 5] Figures 5A and 5B."

Please amend the paragraph beginning on line 1 of page 29 as follows:

"At step 146, a 3 second interval timer is started. The bassinet TM will switch from long range antenna mode to short range antenna mode inside this 3 second interval. In addition, the pad latch will be set. At step 148 the timer is decremented by some fixed amount. Step 150 is a decision step to determine whether a close proximity signal has been received by the TM. If not, then the process continues at determination step 152 to determine whether the counter has timed out. If so, a report is forwarded by the bassinet TM to the wall TM acting as a central node transceiver, describing the reason for the alarm condition (step 164). If the counter is determined to be other than zero at step 152, then the process repeats the 148-150-152 loop until either the counter times out or a signal is detected. If a signal is detected at decision step 150, a branch occurs to a filtering algorithm to determine whether the detected signal is a false signal (step 154). If it is determined that the signal is not a false signal, a determination is made whether the infant currently being detected by the close proximity antenna is in fact the infant to be monitored (step 156). Such a determination will be made by the ID transmitted by the infant's badge. This ID is checked against the IDs stored in the association database of the bassinet TM. If it is determined at step 156 that an infant other than the infant to be monitored is detected (i.e. an incorrect infant), the process continues at step 158. Step 158 is a determination step to determine whether the detected signal is associated with a responsible party (i.e. staff, parent, etc.). If not, then the process returns to decrement the counter at step 148. Otherwise if it is determined at decision step 156 that the correct infant has been detected then the process continues at step 160 where an infant flag is set true. Otherwise if it is determined at decision step 158 that a responsible party was detected then a staff/parent flag/is set true at step 162. From either step 160 or 162, the process continues at decision step 166, wherein a determination is made whether both the infant and staff/parent flags have been set. If so, at step 168 the pad latch, which was previously closed to initiate the alarm condition, is now cleared. The process then returns to step 74 (Figure 5A)."

Please amend the paragraph beginning on line 19 of page 30 as follows:

"Returning to [Fig. 5] Figs. 5A and 5B, when the monitoring system is operating in normal mode, i.e., the bassinet TM has the green LED lit. The processor in bassinet TM continually monitors the infant (steps 92 to 100). Decision step 94 makes a determination as to whether the infant is located within the 30 foot safety zone perimeter of the bassinet. If not alarm mode processing will occur (See steps 128-144). Otherwise, if the baby is within the 30 foot perimeter, it is then determined at step 96 whether the infant is within the 15 foot inner perimeter. If not then the processing steps associated with a yellow alarm mode occur."

Please amend the paragraph beginning on line 7 of page 34 as follows:

"Returning to [Fig. 5] Figs. 5A and 5B, step 100 is a decision step to determine whether any new instructions have been received from the central node transceiver (wall TM). [i]f new instructions are received from the central controller via the wall TM, then a branch occurs to respond to the new instructions. If no new instructions have been received the process continues at step 102. Step 102 is a determination step to determine whether a read alarm has been set. If so, the process branches to the steps associated with red alarm mode processing (See steps 128-144, described above). Otherwise, if not read alarm was set the process continues at step 104 where a determination is made concerning whether a yellow alarm has been set. If so, the process branches to the steps associated with yellow alarm mode processing (See steps 106-126, described above). Otherwise the process returns to determination step 74 of the main loop."

IN THE CLAIMS:

Please amend claims 21, 28, and 43 as follows:

21. (Amended) An object monitoring system, including:

a first transmitter for transmitting a first ID; and

a portable transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory;

wherein the first transmitter remains associated with the transceiver module as the transceiver module is moved from a first position to a second position.

28. (Amended) [The system of claim 21 further including] An object monitoring system, including:

a first transmitter for transmitting a first ID;

a transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory; and

a second transmitter for transmitting a second ID, the transceiver module receiver receiving the second ID to electronically associate the second transmitter with the transceiver module and the first transmitter by generating a second stored ID in the memory.

43. (Amended) An object monitoring system including:

a plurality of transmitters corresponding to objects to be monitored, the transmitters each transmitting a respective, unique ID;

a plurality of transceiver modules, each transceiver module including a receiver for receiving IDs from the transmitters to associate with the transceiver module the transmitters from which IDs are received and to associate the transmitters from which IDs are received with one another by storing IDs corresponding to the received IDs; and

a central processing unit for receiving messages from the transceivers including IDs of the transmitters for determining locations of the transmitters.

Please reformat claims 22, 25, 31, 33, and 36 as independent claims as follows:

22. [The system of claim 21] An object monitoring system, including:

a first transmitter for transmitting a first ID; and

a transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory;

wherein the transceiver module indicates an alarm condition by comparing the first ID to the first stored ID.

25. [The system of claim 21] An object monitoring system, including:

a first transmitter for transmitting a first ID; and

a transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory;

wherein the first ID has an associated energy level, the transceiver module indicating an alarm condition by comparing the energy level to a threshold value.

31. [The system of claim 21] An object monitoring system, including:

a first transmitter for transmitting a first ID; and

a transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory;

wherein the transceiver module activates an alarm when the first transmitter is separated from the transceiver module by more than a preset distance.

33. [The system of claim 21 further including] An object monitoring system, including:

a first transmitter for transmitting a first ID;

a transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory; and

a controller, the transceiver module wirelessly transmitting messages to the controller, the messages including an indication of receipt of the first ID.

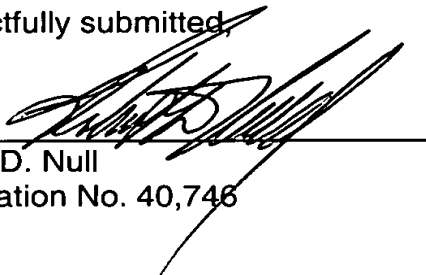
36. [The system of claim 21 further including] An object monitoring system, including:

a first transmitter for transmitting a first ID;

a transceiver module having a receiver for receiving the first ID to electronically associate the first transmitter with the transceiver module by generating a first stored ID in a memory; and

an actuator connected to the transceiver module, the actuator being actuated upon an indication by the transceiver module of an alarm condition.

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